

Application Serial No. 09/972,821 - Filed October 5, 2001

Lawler, in view of Pohlmann, in view of Warwick, and in view of U.S. Patent No. 6,108,695 (hereinafter "Chawla"). Claim 11 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Pohlmann in view of Warwick and in view of U.S. Patent No. 6,636,901 (hereinafter "Sudhakaran"). Claim 21 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Pohlmann in view of Warwick in view of U.S. Patent Publication 2003/0159150. Finally, claim 27 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Lawler, in view of Pohlmann, in view of Warwick and in view of Sudhakaran. The following clear errors in the Examiner's rejection are noted.

Claim 1 recites features including "an event broker configured to register a plurality of event bookings in response to requests from . . . clients", one or more "event managers . . . configured to detect particular types of events", and one or more "action handlers . . . configured to initiate particular types of actions." In paragraph 3 of the Office Action, the examiner equates Pohlmann's event correlator 413 (also 330) with the recited broker, Pohlmann's event manager 310 with the recited event managers, and Pohlmann's response engine 350 with the recited action handler. However, as discussed below, Applicant submits the suggested equivalences do not hold up upon further scrutiny.

For example, claim 1 recites that the event broker is configured to register event bookings in response to requests from one or more clients. Given the equivalences suggested by the examiner, Pohlmann would have to disclose the event correlator (413, 330) (which the examiner equates with the recited event broker) is configured to register event bookings in response to requests from clients. However, Pohlmann does not disclose such features. In the Office Action, the examiner cites column 5, lines 3-26, of Pohlmann as disclosing the above features. However, nowhere does this citation disclose the event correlator 413 is configured to register event bookings in response to requests from one or more clients as suggested. The cited disclosure is reproduced in its entirety below:

Application Serial No. 09/972,821 - Filed October 5, 2001

"As shown in FIG. 4, the event manager 402 of node a 401 and the event manager 411 of node b 410 also receive event information from the event correlator 413 of node b 410. The event manager 411 of node b 410 also provides events to the event correlator 413 on node b. The event manager 411 also receives event information from point product 415, where events are actually occurring. Event manager 402, 411 maintains, for example, the events and their associated state and a list of subscriptions. Each event manager may have a local memory data store, e.g., a blackboard, where statefull events are stored. The blackboard may be kept persistent in a file based storage, for recovery of the information across generations (process invocation of the event manager). The clients subscribing to events are responsible for reestablishing the respective subscriptions across new invocations of the event manager. Accordingly, the subscriptions may be maintained in memory. The local event archive is maintained for all the events received by the event manager. The event management system of the present invention also may correlate events from multiple nodes. In an exemplary embodiment of the present invention, the event management system provides views of events consolidated to single management stations or in views/categories that cross node boundaries."

In contrast, Pohlmann clearly describes the event correlator as being configured to receive or convey event information. In addition, Pohlmann discloses the event correlator may implement an alarm rule. (e.g., see col. 7, lines 51-53). However, nowhere does Pohlmann disclose the event correlator is "configured to register a plurality of event bookings in response to requests from one or more clients, wherein each said event booking identifies an event which may occur in the future and an action to be taken should the identified event occur." Neither does the remaining cited art disclose such features. Therefore, for at least these reasons, not all the features of claim 1 are disclosed by the cited art, taken either singly or in combination, and a prima facie case of obviousness has not been established. Similarly, paragraph 4 of the Office Action cites Pohlmann as disclosing the recited event broker. However, for the reasons discussed

Appreciation Serial No. 09/972,821 - Filed October 5, 2001

above, all the features of claim 1 are not disclosed by the combination of Pohlmann and Lawler. The comments above similarly apply to claims 15 and 22.

Further, in the Office Action the examiner equates Pohlmann's disclosed subscription request as being equivalent to the recited event booking. However, Applicant disagrees. Claim 1 recites "each said event booking identifies an event which may occur in the future and an action to be taken should the identified event occur." Again, the examiner cites the same disclosure discussed above (col. 5, lines 3-26) as disclosing these features. However, nowhere does this cited portion disclose "a first request . . . for an event booking" which identifies (1) a first event which may occur in the future; and (2) a first action to be taken upon occurrence of said first event as recited. Rather, Pohlmann discloses a system wherein an event manager 411 receives a subscription request for an event, and forwards matching events to the subscriber of the event. In addition to the above disclosure, Pohlmann discloses:

"When a subscription is made for an event such as, for example, an event occurring at a point product 415, a subscription request is sent to event manager 411 on node b 410. The event manager 411 receives the request and adds this request to its list of outstanding requests which may be stored, for example, in memory. The event manager 411 checks outstanding events previously stored, for example, in a blackboard, to see if it matches the request criteria. Each matching event is forwarded, e.g., published, to the requester, e.g., the subscriber of the event. Any new events which are received and match the subscription criteria are also forwarded. This may continue until the subscription is canceled." (Pohlmann, col. 5, lines 39-52).

Therefore, Pohlmann does not disclose the event booking in the manner recited. Neither does the remaining cited art disclose such features. For at least these additional reasons, each of the independent claims are patentably distinguishable from the cited art, taken either singly or in combination.

RECEIVED
CENTRAL FAX CENTER

Application Serial No. 09/972,821 - Filed October 5, 2001

JUN 04 2007

In light of the foregoing, Applicant submits the application is in condition for allowance, and notice to that effect is respectfully requested. If any extension of time (under 37 C.F.R. § 1.136) is necessary to prevent the above referenced application from becoming abandoned, Applicant hereby petitions for such an extension. If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert & Goetzel PC Deposit Account No. 501505/5266-02600/RDR. Also enclosed herewith are the following items:

- ☒ Notice of Appeal
- ☒ Fee Authorization

Respectfully submitted,



Rory D. Rankin
Reg. No. 47,884
ATTORNEY FOR APPLICANT(S)

Meyertons, Hood, Kivlin,
Kowert, & Goetzel, P.C.
P.O. Box 398
Austin, TX 78767-0398
Phone: (512) 853-8850
Date: May 23, 2007